

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

VERY REVEREND GEORGES F. DE LAIRE, J.C.L.,

Plaintiff,

v.

Case No. 1:21-CV-00131-JD

GARY MICHAEL VORIS; ANITA CAREY; ST.
MICHAEL'S MEDIA a/k/a CHURCH MILITANT;
and MARC BALESTRIERI,

Defendants.

**DEFENDANTS' RESPONSE TO PLAINTIFF'S REQUEST FOR A CONFERENCE TO
DISCUSS PRE-TRIAL SCHEDULING MATTERS**

Defendant St. Michael's Media a/k/a Church Militant ("Church Militant"), Michael Voris and Anita Carey ("Defendants") state as follows for their Response to Plaintiff's Request for a Conference to Discuss Pre-Trial Scheduling Matters:

1. Defendants agree with these allegations. By way of further response, Defendants state that the Court imposed sanctions on Defendants in the form of an order directing them to pay Plaintiff's attorneys' fees incurred in connection with the three depositions. Defendants are unable to pay what is likely to be a considerable attorneys' invoice and therefore initiated settlement discussions with Plaintiff. Although the parties' exchanged a demand and an offer, the discussions broke down over the scope of Plaintiff's request for financial information.

2. Defendants agree that they offered various dates and times for the three depositions and that the depositions are scheduled to proceed on August 8 and 9. Defendants further note that they are willing to continue Ms. Niles' deposition until completed on the scheduled date. There is no need for a second day.

3. Defendants admit that they produced documents that were not sought in discovery related to a loan Church Militant made to Mr. Balestrieri, to cover Mr. Balestrieri's mother's medical bills. The loan was alluded to in the June 15, 2023 text Mr. Voris sent to Mr. Balestrieri. Defendants produced the loan documents even though they do not fit within any discovery request, in order to avoid any additional briefing on discovery issues and to keep the case on track for the September 6, 2023 trial.

4. Defendants admit these allegations, except they believe Ms. Niles' deposition can be completed on the scheduled day.

5. Defendants do not know what pre-trial motions Plaintiff is contemplating and therefore denies these allegations.

6. Defendants do not support moving the trial date from September 6, 2023 because it is unlikely that there would be an alternative period in September that could accommodate the parties and the Court's schedule. Defendants have no objection to a Zoom conference with the Court to discuss this issue, but note that Mr. Nicholson is out of town and likely out of cellphone range during the week of July 31, 2023 and Ms. Klaus is traveling on the morning of August 1 and in depositions starting at 11:00 am. on August 2.

Respectfully submitted,

MADDIN, HAUSER, ROTH & HELLER, P.C.

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